

**REMARKS**

This response and amendment is responsive to the Office Action mailed on August 22, 2005. Claims 1-17 are currently pending in the application. Applicant appreciates the indication by the Examiner that claims 7-9 contain allowable subject matter and would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims. The Examiner has rejected the remaining claims 1-6 and 10-14.

**Miscellaneous Amendments**

Claims 10, 12, and 14 have been amended to recite "clean gas chamber" instead of "crude gas chamber," when referring to the direction that the cleaning gas flows. In addition, the Summary of the Invention section of the specification was amended to properly correspond to these changes. These changes are necessary to correct typographical errors in the Summary of the Invention section and the claims. The Detailed Description of the Illustrated Embodiments states "a second or cleaning gas discharge device 92 for generating a gas stream through the filter element 26 into the crude gas chamber 20 is provided in order to generate a stream through the filter element 26 into the crude gas chamber 20 when the shut-off device 64 (Figure 2, right-hand portion) is closed, so that the filter elements 26, 28 are cleaned at the same time as the vibration device 42, 44 is switched on," on page 13, lines 22-25 and page 14, lines 1-4. Thus, new matter has not been introduced as the specification supports this amendment.

**Rejection of Claims under 35 U.S.C. § 102(b)**

The Examiner rejected claim 1 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,496,377 to Margraf (hereinafter the "Margraf reference").

Claim 1 has been amended to recite, "wherein the flow of the first gas stream is maintained to the clean gas chamber through another path." Anticipation under § 102(b) requires that each and every feature of the claim be taught by a single prior art reference, either explicitly or inherently. The Margraf reference does not teach this feature. Referring to FIG. 1 of the Margraf reference, it is apparent that scavenging air duct 16 that directs air into scavenging air chamber 14 from the scavenging fan 15 includes three openings that align with the three different filter bags 5. Scavenging air chamber 14 sends backpressure through the filter bags 5 to help shake off the dust deposited on the filters 5. The airflow into the dusting chamber 3 from the top of the dusting chamber 3 must be shut off to create sufficient backpressure. (See column 2, lines 36-42) Accordingly, it is impossible for "the flow of the first gas stream" to be "maintained to the clean gas chamber through another path," since airflow from the entrance to the dust chamber 3 would oppose airflow from the scavenging air chamber 14. Therefore, claim 1, as amended, is clearly novel over the Margraf reference.

The Examiner rejected claims 1 and 3 under 35 U.S.C. § 102(b) as being clearly anticipated by Japanese Reference No. 56-5A513 (hereinafter the "Japanese '513 reference").

The Japanese '513 reference also fails to anticipate claim 1, at least as amended. The Japanese '513 reference fails to disclose that the crude gas stream can

be maintained to the clean gas chamber 5 while a clean gas stream from the nozzle 13 provides backpressure to clean the filter body 1. In fact, the patent appears, as best as can be understood, to teach the opposite. The patent illustrates in FIG. 2 that the crude gas air flow enters through the inlet 4 and then passes through the filters 1 which are arranged in rows and then exits into the clean gas chamber 5 and out through the opening cylinder 6. In order to clean the filters 1, the opening cylinder 6 is shut off using the switch valve 19 to stop the flow from nozzle 13 out of the opening cylinder 6. The nozzle 13 provides air to provide back pressure to blow powder off the filters 1 while the vibrator 10 additionally helps to remove dust by shaking the filters 1. Again, the Japanese '513 reference presumably teaches away from the amended features of claim 1 because if airflow having crude gas were still maintained through the inlet 4 while nozzle 13 was operating, the result would be a closed chamber with pressurized gas entering from both sides. The clean gas chamber 5 and the crude gas chamber would become highly pressurized. Therefore, it is clear that claim 1, as amended, is not anticipated by the Japanese '513 reference.

Claim 3 depends from independent claim 1 and therefore includes all of the features of independent claim 1. It is therefore respectfully submitted that claim 3 is allowable over the references of record for at least the same reasons as provided with respect to independent claim 1.

The Examiner rejected claims 1, 3 and 4 under 35 U.S.C. § 102(b) as being clearly anticipated by German Reference No. 2,304,507 (hereinafter the "German '507 reference").

The Examiner provided an Abstract of the German '507 reference, however this abstract is insufficient to teach or suggest the features of claim 1. For instance, the Examiner asserts that item 34 is a second gas discharge device. A free translation was made using a website www.appliedlanguage.com, and a copy of the translation is attached hereto as Exhibit A. The specification of the German '507 reference on page 4, second full paragraph, line 3, denotes that reference character 34 is an *ein platte* shown by the translation website to mean "a plate." Applicant respectfully submits that item 34 therefore is likely not a second gas discharge device. Moreover, it is unclear if a second gas discharge device is located anywhere in the device illustrated in FIG. 1. Reference character 36 is referred to as a *Rüttelmotor*. The website translation of the German word *Rüttelmotor* is shown in Exhibit B to mean "Shaking engine." The *Rüttelmotor* is likely used to vibrate the filters 3 and therefore is also not a second gas discharge device. Thus, Applicant submits that claim 1 is not anticipated by the German reference.

Claims 3 and 4 all depend from independent claim 1 and therefore include all the features of independent claim 1. It is therefore respectfully submitted that claims 3 and 4 are allowable over the references of record for at least the reasons provided with respect to independent claim 1.

The Examiner rejected claim 10 under 35 U.S.C. § 102(b) as being clearly anticipated by U.S. Patent No. 4,303,417 to Koch, II (hereinafter the "Koch reference").

Claim 10 includes the feature of "moving the cleaning gas stream between the first and second surface area portions to dislodge the powder from the first filter element." The Koch reference fails to teach this feature anywhere. The Koch reference

teaches a pressured air source 80 and a system of venturi tubes 84 and 86 to apply a series of pulses of air to clean the filter 70. Nowhere does it disclose moving the pressurized air source 80 or the air stream itself between a first and second surface area portion on the filter 70. In fact, the reference teaches away from this feature because the pressurized air source 80 must be fixed in order for the series of venturi tubes 84 and 86 to operate properly. If the air stream were moved, it would no longer hit the conical end of the venturi tubes 84 and 86 correctly. Even the venturi tubes themselves 84 and 86 do not move the cleaning gas stream between a first and second surface area. The venturi tubes 84, 86 only expand the cleaning gas stream to strike a larger, but constant, area of the filter 70. Moving the air stream from one path to the next would require movement of the venturi tubes 84 and 86 rendering them unable to properly catch the air stream emanating from the fixed pressurized air source 80. Accordingly, the Koch reference does not teach this feature of the claim and in fact teaches directly away from this feature of the claim.

**Rejection of Claims under 35 U.S.C. § 103(a)**

The Examiner rejected claim 1 under 35 U.S.C. § 103(a) as being unpatentable over the Koch reference taken together with the Japanese '513 reference.

As noted above claim 1 now recites "wherein the flow of the first gas stream is maintained to the clean gas chamber through another path." The Koch reference fails to teach this feature. The Koch reference teaches a spray gun 30 that applies an air stream containing power into the spray booth 12 where some of the powder is deflected by a baffle 62. The remaining powder passes through a filter 70 and then out of duct member 56 to the final filter 58. To clean the filter 70, a pressured

gas source 80 is provided with a series of venturi tubes 84 and 86 to provide a pressurized gas flow that expands to shake the coating material off of the filter 70. Like the other references cited, however, the spray gun 30 and nozzle 80 cannot properly operate at the same time. The result would be two opposing gas streams that would have undesirable effects on the coating material. Accordingly, the Koch reference clearly teaches away from this feature of the claim. Moreover, as already discussed, the Japanese '513 reference fails to cure this deficiency of Koch.

The Examiner rejected claims 12 and 13 under 35 U.S.C. § 103(a) as being unpatentable over the combination of the Koch reference taken with the Japanese '513 reference.

Claim 12 recites: "interrupting the flow of the gas mixed with the powder through the first filter element while maintaining the flow of the gas mixed with the powder through another path." As already discussed above, neither the Koch reference nor the Japanese '513 reference teaches or suggests these features. Therefore, claim 12 is patentable over the combination of the Koch reference and the Japanese '513 reference.

Claim 13 depends from independent claim 12 and therefore includes all the features of independent claim 12. It is therefore respectfully submitted that claim 13 is allowable over the references of record for at least the reasons provided with respect to independent claim 12.

The Examiner rejected claim 14 under 35 U.S.C. § 103(a) as being unpatentable over the combination of the Koch reference with the Japanese '513 reference. Claim 14 includes the feature of "interrupting the flow of gas mixed with the

powder through the first filter element while maintaining the flow of the gas mixed with the powder through the second filter element." As already discussed, neither the Koch reference nor the Japanese '513 reference teach or suggest this feature of the claim. Therefore, claim 14 is allowable over the references of record for at least these reasons.

The Examiner rejected claims 2, 5, and 6 under 35 U.S.C. § 103(a) as being unpatentable over the combination of the Japanese '513 reference taken together with U.S. Patent No. 5,421,845 to Gregg et al. (hereinafter the "Gregg reference").

Claims 2, 5, and 6 all depend from independent claim 1 and therefore include all the features of independent claim 1. Accordingly, these claims are patentable over the Japanese '513 reference for at least the reasons discussed with respect to independent claim 1. In addition, the combination of the Gregg reference with the Japanese reference fails to teach or suggest the features of claim 1.

The Examiner rejected claim 4 under 35 U.S.C. § 103(a) as being unpatentable over the Japanese '513 reference in combination with U.S. Patent No. 3,212,643 to H. Schmidt, Jr. et al. (hereinafter the "Schmidt reference").

Claim 4 depends from claim 1 and therefore includes all the features of independent claim 1. It is therefore respectfully submitted that claim 4 is allowable over the references of record for at least the same reasons as provided with respect to independent claim 1. In addition, the Schmidt reference fails to remedy the failures of the Japanese '513 reference with regard to claim 1. The Schmidt reference does not teach or suggest maintaining the flow of a first gas stream into a clean gas chamber through another path. In fact, the reference is directed to a liquid fluid cleaning

apparatus. Accordingly, claim 4 is allowable over the references of record for at least these reasons.

The Examiner rejected claim 11 under 35 U.S.C. § 103(a) as being unpatentable over the Koch reference taken together with the Gregg reference. As already discussed, claim 11 is allowable over the references of record for at least the reasons provided with respect to independent claim 10 from which it depends. In addition, the combination of the Gregg reference with the Koch reference fails to teach the features of claim 1. Accordingly, claim 11 is allowable over the references of record for at least these reasons.

#### Allowable Subject Matter

Claims 7-9 were indicated as containing allowable subject matter. Claim 7 has been rewritten in independent form to include all the features of the base claim and the intervening claims. Claims 8 and 9 depend from claim 7 that is in allowable form and, therefore, are themselves allowable. Therefore, Applicant respectfully submits these claims are now in condition for allowance.

In the section of the Office Action entitled "Allowable Subject Matter" the Examiner states "[i]t would not have been obvious to someone of ordinary skill in the art at the time of the invention to provide wherein the gas outlet channels are arranged such that the movable arm can be rotated by the gas flowing out of said gas outlet channels because Greg et al does not suggest such a modification." Applicant agrees that those features are not taught or suggested by the references of record. However, Applicant respectfully submits that additional reasons support the patentability of these claims.

**New Claims**

Claim 15 has been added. Claim 15 depends from independent claim 1 and is allowable over the references of record for at least the same reasons claim 1 is allowable. Claims 16-17 have been added. Claims 16-17 depend from independent claim 10 and are allowable over the references of record for at least the same reasons claim 10 is allowable.

**Conclusion**

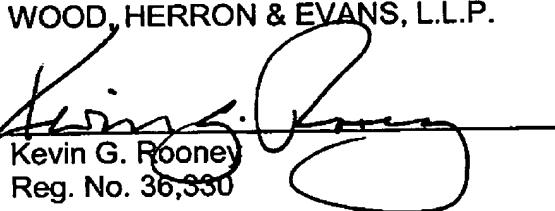
Applicant respectfully submits that all claims are allowable. Reconsideration of the present application as amended is respectfully requested. The Examiner is invited to contact the undersigned to expedite issuance of this application.

Applicant does not believe any other fees are due in connection with filing this response other than the excess claim fee. However, if any other fees are necessary, the Commissioner is hereby authorized to charge any underpayment or fees associated with this communication or credit any overpayment to Deposit Account No.

23-3000.

Respectfully submitted,

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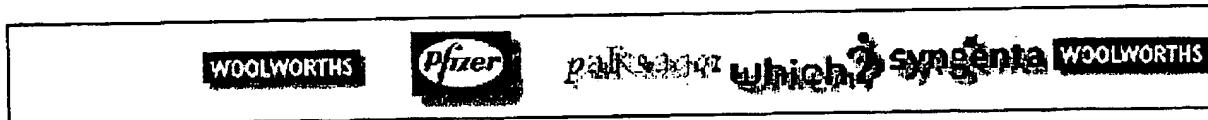
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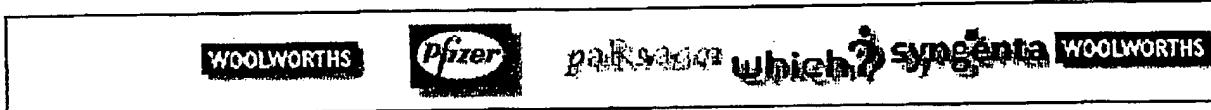
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